

1904-064 Chancery Causes: Silas E. Shelburn vs. Patton Daugherty &c
Lee Co

Flanary

CA-Debt

T-Property

To the Hon. W. T. Miller, Judge of
the circuit court of Lee County, Va.
your Orator Silas E. Shelburn
who humbly complaining would
respectfully represent, that heretofore,
to wit, on the 29th day of October
1892 your orator obtained a judgement
before A. C. Williams a justice of the
Peace for said County against Patton
Daugherty for the sum of \$44⁵⁰ with
legal interest thereon from the said
29th day of October 1892 & one dollar
costs, a copy of which said judgement
is herewith filed marked "A" & is
prayed to be considered as part hereof.
The said judgement & no part
thereof has ever been paid to
your orator & the same has been
filed & docketed in the judgement
book in the Clerk's Office
of the County Court of Lee County.
On this judgement execution issued
& was placed in the hands of
C. E. Chick, a constable of said
County for collection & was by
him returned no property
found, all of which is more
fully shown by exhibit "A" before
alluded to.

Your Orator is advised & therefore
charges that said judgement is a
lien upon the real estate of
the said Patton Daugherty.

situated in Lee County, Va; that
The said Patton Daugherty
owns a life estate in a small
tract of land wherein James Hyatt
& Andy Brewer now reside as
tenants of the said Patton Dan-
gherty situated on the north side
of Powell's river near Nim Potets
Distillery, the rents & profits of
which will in five years or
less pay said debt, interest &
costs.

This judgment was obtained
on an account for medical
services rendered by your orator
as a practicing physician for the
late Hettie Daugherty, the late
wife of the said Patton Daugherty,
the said services ^{having been} ~~was~~ rendered
for her & her family and at
her request, but through in-
advertance & want of proper
legal information said judgment
was obtained against said Patton
Daugherty which as your orator is
advised binds him. The said land
was the property of the said Hettie
Daugherty & at her death descended
to her two infant children, Milford
& Minnie Daugherty; subject however,
to the life estate, courtesy of the
said Patton Daugherty.

Said judgement is a lien upon the said life estate of said Patton Danghty, to enforce which said lien upon said life estate is the object of this bill. And as said infants are interested in said estate your orator is advised it is proper that they should be made parties to this bill though no relief at this time is sought against them.

But should it become necessary hereafter your orator will make the administrator of the said Hettie Danghty a party to this Bill & seek relief from her estate, if permitted by this honorable court.

The premises considered your orator prays that said Patton Danghty be made a party defendant to this bill, that he answer the same, but not upon oath, that being waived, that the said infant children, Milford & Mintie Danghty be made parties defendant to this bill & that a guardian ad litem be appointed to answer & defend them. and that on a hearing a decree be rendered enforcing said lien & renting said land for a sufficient period of time to pay said judgement & the costs of this suit.

S. E. Shelburne

Deffo costs
 C 10.32
 atty 4.50
 G. A. P 15.00
 Cour 5.00 add 50
 Estimated 6.00
 341.57
 Off by
~~quintessence~~
 atty 10.00
 31.57
 Ending 123

Bill in chg -

Patton Daugherty et al

1894 2nd May Rules bill
 filed Spa not over 7
 continued
 1st June rules contd
 " 2nd " "
 " 1st July "
 " 2nd " "
 " 1st Aug "
 " 2nd " "
 " 1st Sept "
 " 2nd " "
 " 1st October rules alias Spa
 entered and Decree made
 2nd October rules Decree
 confirmed & cause set for
 hearing by Off.
 Decree final Sept 5,
 1904

And for such other further
 & general relief. May supra issue
 &c -

A. L. Bridgman
 p. q.

To the Hon. W. J. Miller, Judge
of the circuit court of Lee
County, Virginia:

Your Orator, S. E. Shelburne,
who humbly complaining, would
respectfully represent, that he
heretofore, to wit, at the May
Rules 1894, filed his original
Bill in this honorable court,
against one Patton Daugherty
& others, the object of which
was to enforce a judgment
against said Daugherty ob-
tained before a Justice of the
Peace for the sum of \$44.⁵⁰
with interest & costs as therein
stated. Your Orator now states
by way of amendment that
said Patton Daugherty was
the husband of Hettie Daugh-
erty, now deceased, that said
judgment was for medical
services rendered the said
Hettie Daugherty & was a debt
contracted by her & due from
her & not properly due from
the said Patton Daugherty. -

x which as was the first judgment
due from said Nettie Daugherty
being for the board &c of her
children, but was by the justice
rendered against said estate by
mistake or want of legal information.

The said Nettie Daugherty at
the time of her death was
the owner of a small tract
of land situated as set out
in the original Bill, the
rents & profits of which
will in 5 years pay said
debts. Said Nettie Daugherty
died intestate & her estate
was committed to the Sheriff
of Lee County one Chas E.
Hannay, but there is no
personal estate in his
hands with which to pay
said debts, ~~nor does~~ of
Bridges said judgment of
\$44⁵⁰. your orator holds
another debt ^{or judgment by assignment} of \$5⁹⁰ \$1⁰⁰ ~~of~~
against said estate, which
he here files marked 'B' &
prays the same may be
considered as a part here-
with. The legal title of said
land descended to the follow-
ing children & her heirs at
law, all of whom are
under 21 years of age &
The said Milford Daugherty & Minnie
Daugherty.

The object of this amendment
is to have an account taken
of the indebtedness of said
estate & the amount due
therefrom ascertained, to have
your orators claims allowed
& said lands rented for
a sufficient period of time
to pay the same, or on
the failure of the said land
to rent for a sum in
^{sufficient to pay said debts} 5 years, then to sell the
same, that a guardian
ad litem be appointed to
represent said infants,
to effect which your
orator prays, that Patton
Daugherty, Chas E. Flannery
Administrator of Hettie Daugherty
Milford Daugherty & Mintie Dang-
herty be made parties, defen-
dants to this Bill, that
they answer the same, but
they need not do so on
oath, that being expressly
waived, that a guardian ^{ad litem} be
appointed for said infants
that said claims be allowed

S. E. Shelburne

vs } Amended Bill

Chas E. Flanagan
advers et al

1894 2nd May rules bill
filed Summs not created

1st June rules Contd

" 2nd "

" 1st July "

" 2nd "

" 1st Aug "

" 2nd "

" 1st Sept "

" 2nd "

" 1st Oct "

" 2nd "

" 1st Oct "

" 2nd "

" 1st Oct "

" 2nd "

" 1st Oct "

" 2nd "

" 1st Oct "

" 2nd "

" 1st Oct "

" 2nd "

" 1st Oct "

" 2nd "

alias Summs

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

Decree nisi

1894 1st October Rules

Amended bill filed

Summs Decree nisi

Decree nisi

2nd October, rules Decree

nisi confirmed & came

Set for hearing by

Plff.

and enforce against said
real estate & for all other
further & general relief.
May 21st issue & c.
A. L. Pridemore

S. C. Shelburne

vs. } In Chy.
Patton Daugherty et al. }

The separate answer of Milford and Mintie Daugherty, infants under the age of twenty-one years, by A. M. Goins, their guardian ad litem, assigned to defend them in this suit, to a bill of Complaint exhibited against them and others, in the circuit court for the County of Lee, by S. C. Shelburne.

The respondents, reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, on to so much thereof as they are advised that it is material they should answer, by their said guardian ad litem, answer and say:-

That they are such infants of tender years, and by reason of their infancy are incapable of understanding, or of taking care of their rights and interests. They therefore, by their said guardian, commend themselves and their rights and interests to the protection of the court, &

pray that no decree may be pronounced which will tend to their prejudice -

And having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they well ever pray &c.

A. M. Goins, Guardian
ad litem for Milford & Muntie Daugherty.

Virginia, Lee County to-wit:

This day personally appeared before me, D. C. Sewell a Notary public for the County & State-aforesaid A. M. Goins, whose name is signed to the above answer, and made oath that the statements contained in said answer, so far as made of his own knowledge are true; and so far as made from knowledge or information derived from others he believes to be true.

Given under my hand this the 15 day of Nov. 1894.

D. C. Sewell
A. P.

S. C. Shelburn

vs Ans. G. A. S.

Patton Daugherty et al

The sepearte answer of C.E.Flanary,aministrator of the estate of Hettie Daugherty,deceased,to an amended bill exhibited in the Circuit court for the County of Lee,state of Virginia,against him as such admr.,et al.,by S.E.Shelburn.

Answering your respondent says that the said amended bill is not sufficient to call upon him to answer in this Honorable court,but that it is subject to demurrer,and he demurs accordingly,and as a ground of said demurrer says that as will be seen by an inspection of the judgments saught to be enforced by the said amended bill,and filed therewith as part thereof,they are not nor have ever been the debts or undertaking of the said Hettie Daugherty. The liens in said amended bill asked to be enforced are the liens of judgments at law obtained in a Justice's court of said county against one S.P.Daugherty,ofe of which was obtained infavor of John Daugherty and since assigned to the complainant in the said bill,the other was obtained infavor of the complainant himself,and are by said amended bill saught be enforced against the lands of your respondent's decedent,the said Hettie Daugherty. Your respondent is advised that a judgment cannot in this way be efforced or corrected,and that the same is not a lien against your respondent's decedent's lands,and to thus seek to enforce a valid and existing judgemnt at law against one person by either selling or renting the lands of another,your respondent is advised is good grounds of demurrer,and he relys and insists thereon in this case,and prays judgment of this Honorable court thereof.

But should other and further answer be required,answering he says that it is true that he is the admr. of the estate of the said Hettie Daugherty,and that the assests in his hands are already exhausted,and that the said Hettie Daugherty was the wife of the said S.P.Daugherty.It is also true that the lands here saught to be subjected are lands of which she was seized and possessed in her life time, and that they descended to her children as in the bill stated. But your respindent here denies that the said Hettie Daugherty was in any way responsible for the ^{said} debts of her husband,and here alleges that

A

the said judgments in the bill sought to be enforced were properly and regularly obtained against the said S.P. Daugherty, but he here denies that she was, or that her estate is, in any way responsible for the same.

And having answered as fully as he is advised that it is material that he should ^{now} answer, he prays to be hence dismissed with his reasonable costs in this ^{his} behalf expend, &c.

Over, Blankenship & Ewing,
P. O.

S. E. Shelburn

vs. } Ans. of Floung.

C. E. Floung, admr, et al

Filed in open Court
by leave thereof this
the 15th day of Novr
1894 A. B. Munsey
Clerk

S. E. Shelburn

vs

S. E. Shelburn Admr.

To the Hon. H. A. W. Skeen
Judge of the Circuit Court
of Lee County Va.

Your undersigned ~~am~~
would respectfully report,
That heretofore he has reported
the disbursement of the fund
belonging to the guardian, W. J. J.
Newman of Minnie Newman,
& also the payment of the
burial expenses & payment of
the small balance due to
the other infant who died before
any guardian was appointed for
~~him~~ him. That however he paid
what was due him to his sister
~~of her of law~~
Dr. H. J. J. Newman guardian. That
he took receipts therefor &
made a report accordingly &
decree was directed confirming
same but from some cause
the same was not entered
& now seems to be out of the
papers - The settlement should
have been confirmed & the
Case stricken from the docket.

Respectfully -

D. T. Sewell
Counr.

S. E. Shelburne

vs

C. E. Flanagan

Filed Sept. 27/1904

H. C. Ewing,
Clerk.

J. E. Shelburn

against
Chas E. Hawley Admr et al } In Chy

This Cause came on again
this day to be heard upon the
papers formerly read and
the report & deed of Court.

D. C. Sewell filed Nov 18th / 1899
to which there are no exceptions
was argued by Counsel. On
consideration whereof said
report is confirmed & said
deed being seen and in-
spected by the Court is ap-
proved & confirmed. And
said purchase will pay said
Coun. D. C. Sewell \$5⁰⁰ for
making, executing & reporting
said deed, And the Clerk
of this Court will deliver said
deed to said L. M. Carver
and this Cause is contin-
ued.

Ch

J. E. Shelburne

vs { Decree Conf
Died
Chas E. Flannery Adm

Nov 7. 1899

Entered in Chancery
OB No 6 Page 312

Enter this

H A W Skarr

Nov 13 ch seg

S. E. Shelburne

against } In Chy -
Chas E. Flanagan Admr et al }

This Cause came on again this day to be heard up on the papers formerly read & the report of Court, D.C. Sewell filed July 1st 1899, to which there are not exceptions & was argued by counsel. On consideration whereof said report is confirmed & the payment by S.M. Carnical, purchaser of the Toy tickets against said land before his purchase is allowed as a proper credit. And it appearing that said S.M. Carnical has fully paid the purchase price for said land, D.C. Sewell, who is hereby appointed a commissioner for the purpose, will make & report a deed conveying said land to said Carnical with covenants of special warranty. He will pay the tax on said fund which has accrued against it while in his hands & pay the residue out to the guardians of the ^{two} infants when qualified $\frac{1}{2}$ to ~~effect~~ the benefit of each. Said Court will report his action to a future day of this Court until which this cause is passed.

S. E. Shelburne

vs } Decree for
Chas E. Flanagan ^{adver}

Nov 7. / 1899

Entered on lch by Q.B.
No. 6 Page 302 & 3.

Enter this
H. A. W. Steele
Nov 11th / 1899

S. E. Shelburne

against

Chas. E. Flannery Adm'r of the

} In chg-

This cause came on
this day & he again heard
upon the papers for nearly read
& the report of sale made by
Commr. D. P. Sewell filed Feb'y
17th/1897 to which there are no
exceptions & was argued by
Counsel. On consideration whereof
it is adjudged, ordered & decreed
that said report & the sale to
S. M. Carmichael reported therein
be & the same are hereby confirmed.
Said Commr. Sewell will pay
out the cash to those entitled
& collect the purchase money
bonds as they may be come
due & report his action to this
court from time to time & this
Cause is continued.

S. E. Shelburne

vs. Deane Conf-
Admin^{try}
Chas E. Hanory

March 2, 1897,

Ex. C. O. B. p 507.

Enter this
M. 22

March 2^d 1897.

S. E. Shelburn

against } ^{in chg}
Chas E. Flannery Adm.

This cause came on ^{again} this
day to be heard upon the
papers formerly read & the report
of Special Commr. D.C. Sewell
filed Oct 23^d / 898. to which
there are no exceptions & was
argued by Counsel. On con-
sideration whereof, it appear-
ing from said report that
the land mentioned in this
cause had failed to rent for
a sum sufficient to pay
the recoveries in this cause
in five years, it is adjudged
granted & decreed that unless
the said recoveries be paid
within 20 days from this
date, then D.C. Sewell, who
is hereby appointed a com-
missioner for the purpose,
will sell said land or so
much thereof as may be necessary
to pay said recoveries. He
will make sale thereof at the
front door of the Court house

on some court day to the
by public outcry to the highest
bidder on a credit of 1 or 2
years time except as much
as may be necessary to pay
Cost of suit & sale, which
he will required to be paid
in hand for the residue
he will take bonds from
the purchaser payable to
himself as court with good
personal security bearing
interest from day of sale.
He will advertise the time
terms & place of sale at
least 30 days before the
day of sale by posting
two or more written
or printed notices thereof,
one of which shall be
on ^{the} court house door &
one in the neighborhood
of where the land lies.
But before proceeding to ex-
ecute this decree he will
execute before the clerk of
this Court a bond for the

penalty of \$100⁰⁰ conditioned
according to law. He will
report his action to this
Court & this cause is
continued.

S. E. Shelburn

3 decree for
vs } sale - 192

adur
Chas E. Flanary

Nov 7. 1896.

Entered in Chy
O.B. No. 4 page 477

Enter this

W. L. M.

Nov 9th 1896

S. E. Shelburn

against
Chas E Flanery admstral

} In chie

This cause came on this day
to be again heard upon the papers
formerly read & the report of S. J. Hyatt
Special Commr. filed Feb. 21st 1896 &
was argued by counsel said
report being ~~unaccepted~~ filed
the required length of time & being
unaccepted to is hereby confirmed. It
is therefore adjudged ordered & decreed
that S. E. Shelburn ~~recover~~ ^{recover} of Chas
E. Flanery administrator of Nettie Dan-
gerty said the sum of \$54.⁷² with
legal interest on \$44.⁵⁰ part thereof
from Mch 1st 1896 till paid &
that John Dangerty ~~recover~~ ^{recover} against
said Administrator the sum of \$9.²⁴
with interest on \$5.⁹⁰ from Mch 1st 1896
till paid & ^{that he pay costs} the cost of this suit.

And unless the said Administrator or
some one for him pays said debts,
interest & cost within 30 days from the
rising of this court then D. C. Sewell, who
is hereby appointed a Commissioner for
the purpose will rent the land in
the Bill mentioned for the shortest
period of time necessary to pay said
debts & costs. He will rent the same
on some court day at the front door
of the Court at public outcry after he

he shall have advertised the time & place of ~~meeting~~^{renting} for at least 30 days prior thereto. But before proceeding to act hereunder he will execute bond before the clerk of this court in the penalty of \$100⁰⁰ conditioned according to law. He will report his action to the next term of this court & this Cause is continued

S. E. Shelburne

22^d Decemr 2

Chas E Flannery adms

Michl 27. 1896

Q. B. O. 327

Order this

M. T. M.

March 4/1896

11-3-3
11-3-3
2

52.72
5.84
60.06

44.50
267.00
5.340

44.50
267.00
5.340

S. E. Shelburn

against } In chg.
Chas E. Flannery admstral }

This cause came on this day
to be heard upon the Bill & amended
Bill of the Plaintiff ^{& exhibits therewith filed} the
Answer of Milford & Minnie Dan-
gherty by R. M. Gains their guardian
Ad Litem, the Answer of C. E.
Flannery admstr, & replications thereto
& was argued by counsel. On con-
sideration whereof & for reasons ap-
pearing to the Court said Decree
is now ruled and L. J. Hyatt
who is hereby appointed a special
Commissioner for the purpose will
ascertain & report whether or not
the debt in the Bill mentioned is
a proper charge on the estate
of Hattie Dagherty dec'd or whether
or not the same is the debt of
Patton Dagherty; he will take
& state the account of said
^{Chas E. Flannery admstr. of the estate of Hattie Dagherty dec'd}
~~Hattie Dagherty dec'd~~ & show
whether or not there are any
assets in his hands & whether
or not they will pay said debt
& whether or not there are any

other debts due from the said
Hettie Dougherty. He will state
any facts deemed pertinent or
required by either party, but
before proceeding to perform
his duties hereunder he
will give due notice to the
parties ~~and~~ their attorneys, he
will report his action to a
future term of this Court &
the cause is continued.

S.E. Shelburn

vs 3 Dunes

Chas E. Flannery
admiral

Nov 1. 1894.

Entered in Oly
C.B. Page 111

Enter this

M. J. A.

Nov. 17th 1894-

Virginia

at a circuit Court continued and
held for Lee County at the Court house thereof
on Saturday November 17th 1894
S. E. Shelburn

against } In Chancery
Charles E. Flanary admr }

This Cause came on this day to be heard
upon the bill & amended bill of the Plff.
and exhibits therewith filed the answer of
Milford and Mintie Daugherty by A. M. Goins
their Guardian ad litem the demurrer and
answer of C. E. Flanary Admr & replications
thereto, & was argued by counsel. On
Consideration Whereof & for reasons appear-
ing to the Court said demurrer is over-
ruled and L. J. Hyatt who is hereby ap-
pointed a Special Commissioner for the
purpose will ascertain & report ~~and~~ whether
not the debt in the bill mentioned is a
proper charge on the estate of Hattie Daugh-
erty decd. or whether not the same is the
debt of Patton Daugherty, he will take &
state the account of said Charles E. Flana-
ry admr of the Estate of Hattie Daugherty
decd & show whether or not there are any
assets in his hands & whether or not they
will pay said debt & whether or not

There are any other debts due from
the Said Hettie Daugherty, He will state
any facts deemed pertinent or required
by either party, but before proceeding
to perform his duties hereunder he will
give due notice to the parties and their
attorneys he will report his action to
a future term of this Court & the Cause
is Continued,

A Copy

Teste A B Munsey Clerk

S. E. Shellum

Copy of Decree

W. B. Flannery Adm

Exeuted Jan 26. 1897.

By delivering an office
copy of the within Decree
to L. J. Hyatt

W. B. Flannery. J. H. H.

C 32
Ex Jan 23: L. J. Hyatt

Virginia

At a circuit Court continued and held for Lee County at the Court-house thereof on Tuesday March 3rd 1896.

S. C. Shelburn

Plff

vs

Chas C Flanary Admr et al Defts

In Chy

This Cause came on again this day to be ^{again} heard upon the papers formerly read & the report of L. S. Hyatt Special Commr filed Feby 21st 1896, & was argued by Counsel, said report being filed the required length of time & being unexcepted to it is hereby confirmed; It is therefore adjudged ordered, and decreed that S. C. Shelburn recover of Chas C Flanary administrator of Hattie Daugherty decd the sum of \$54 ²² with legal interest on \$44 ⁵⁰ part thereof from 1st March 1896, till paid, and that the plff recover the costs of this suit, And unless the said administrator or some one for him pay said debts, interest & costs within 30 days from the rising of this then D. C. Sewell who is hereby appointed a Commissioner for the purpose will rent the land in the bill mentioned for the shortest period of time

necessary to pay said debt and costs.
He will rent the same on some Court
day at the front door of the Court house
at public out cry, after he shall have
advertised the time, terms and place
of renting for at least 30 days prior
thereto. But before proceeding to act
^{hereunder} he will execute bond before the Clerk
of this Court in the penalty of \$10000
Conditioned according to law.
He will report his action to the
next term of this Court & this Cause
is continued.

A Copy Teste

ATB Munsey Clerk

S. C. Shelburn
Off Copy of Decree
Chas. C. Flanagan adm^{str}

Executed March 1872

1872 By delivering one

office copy of the

within Sumas to D. C.

Sewell J. M. Weston

Do for W. P. Weston

W. P.

Copy for D. C. Sewell
C 75^{cto}

S. E. Shelburne

vs

} In Chy.

Chas E. Flannery admr.

To the Hon. W. T. Miller, Judge of the
Circuit Court for Lee County, Virginia.

Pursuant to the terms of a decree
entered in the above styled cause
on March 4th 1896 your Court
would respectfully report, that
after giving the bond required as
by said decree & after having adver-
tised the time, terms & place of
renting as required by said decree
he offered at public outcry, at
the front door of the Court on
a Court day, viz Aug 17th 1896 to
rent the land in the proceedings
mentioned for a term not
exceeding five years, & in all
matters conforming to the
directions of said decree, but
after trying for some time
he could get no better offer
than \$40⁰⁰ for the whole five
years, or \$8⁰⁰ per year, which is
entirely insufficient to pay the
debt herein decreed. He therefore
failed to rent & reports the fact
to your honor & would recommend
a sale.

Respt.

D. C. Sewell
Spe. Comm.

The would further state that he has endeavored to rent the
land private & to make some arrangement to prevent
a sale, but has failed.

D. E. Shelburn

Report of

24 25 26 27 28 29 30 31 32

Chas E. Flanagan adms

Filed Oct 23^d
1846 -

A. B. Munsey

CK

S. E. Shelburn

- vs. -

Chas. E. Flannery Administrator } Truly
To the Hon. W. T. Miller Judge of the Circuit Court for Lee County, Va.
Your undersigned Comr. who
was appointed by a decree entered in
this cause on the 9th day of Nov.
1896 to sell the land in the Bill
mentioned would respectfully report:
That after giving the bond required
& after advertising as directed by
said decree, he on the 15th day Feby
1897, at the front door of the Court
house, at public outcry to the highest
bidder on the terms set out in
said decree for sale offered said
land for sale as follows:
1st He offered to sell ^{enough of} the said land
by the acre, to be laid off on the south
of said track, to pay the debt, interest
Cost & Commission but did not
get a bid sufficient to pay the same.
L. M. Carnical bid one dollar per
acre & as the track contains about 70
acres & the debts, cost &c amounted to
\$93.⁵¹ at day of sale that amount would
be insufficient to satisfy said decree &
also would take all the land at a
less price than to sell the whole.
2nd He then offered the whole track & L. M.
Carnical bid the highest ^{least} bid
therefore, being \$180.⁰⁰ dollars & said
land was knocked off to him at
price & thereby he became the purchaser
of the whole of said track of land.

Said purchaser paid to your Court
the cost of such amounting to \$31⁵⁷
+ the commissions of sale amounting to \$9⁰⁰
making a total of \$40⁵⁷ paid down.
which he holds subject to the order
of the Court, & which should be paid
out to the officer entitled thereto as
shown by the clerks copy of cert.

For the deforcement of \$13³⁹⁴³ said
Carnival, purchaser, executed an
to your Court, two bonds for \$69⁷¹¹²
bearing interest from date & payable in
1 & 2 years with as
surety, which your Court thinks
good & sufficient.

Shelburn's debt amounting on day of
sale to \$57⁴⁹ this would leave
\$81⁹⁴ due the heirs of Mrs Nettie
Daugherty dec'd after the payment
of said debt.

This sale your Court thinks a
good one & should be confirmed.

Respectfully
D. F. Sewell Court.

J. E. Shelburne

vs } Report of sale

Chas E. Flannery

admn others

Filed Feb 12th 1847.

A. B. Munsey clk.

S. E. Sheburn

vs

Chas E. Flannery Admr et al }
Your undersigned court would res-
pectfully report, That L. M. Carni-
cal has fully paid the purchase
price of said land & is now
entitled to a deed therefor.
Said purchaser presented two
Tax tickets against said land
which was due on said
land before his purchase
& that he did not know of
them before purchase. He
asked that they be allowed
a credit on said notes, which
your court allowed, but refers
the matter to your Honor for
determination. If not allowed he
will pay same in cash. Said
Tickets amount to the sum of
\$5²³. Your court has paid the
amount of debts to those entitled
also costs. The balance of said
money, your court believes ought
to be paid over to the guardian
of the two infants, $\frac{1}{2}$ each. The benefits
of each, except there are some tax
tickets against the fund in
court hands which will first
have to be paid out of said fund.
He files statement showing amounts
paid & that due. Recd, D. P. Sewell

S. G. Shelburne

25 } Report

Char E. Hamory ^{char} ^{adm}

Filed July 1st 1898

AB Munsey ck.

S. E. Shelburne

vs

Chas E. Flanigan et al } Lundy
To the Hon. H. A. McKee, Judge
of the Circuit Court of Lee
County Virginia,

Your undersigned comes who
was by a decree entered herein
directed to convey to L. M. Carnical
the land purchased by him herein
would respectfully report, That
he has made & executed a deed
conveying said land to said
Carnical with covenants of
Special Warranty & filed the
same herewith.

Respect,

D. F. Dewell
Clerk

D. E. Shelburn

25/ Report of Acad

Chas E. Flannery adm

Filed Nov 13 1899

A. B. Munsey & K

VIRGINIA--LEE COUNTY, TO-WIT:

TO C. E. Cheuk Constable of said County:

I HEREBY COMMAND YOU TO SUMMON S. P. Daugherty

If to be found in your District to appear at my office in said county, on the 25th day of Nov 1893 before me or such other Justice of the said County, as may be thereto try this warrant, to answer complaint of John Daugherty

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$5.20 due by account, and then and there make return of this warrant,

Given under my hand the 11th day of Nov 1893.

H. C. Joslyn J. P.

John Daugherty
Against S. P. Daugherty } On the 25 day of Nov 1893
(In debt.) At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$ 5.20, with interest thereon from the 20th day of Dec 1890, till paid, and \$ 1.00 for costs.

H. C. Joslyn J. P.

VIRGINIA--Lee County, To-wit: To C. E. Cheuk Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of.....

S. P. Daugherty, in your county, you cause to be made the sum of \$ 5.20 with interest thereon from the 20th day of Dec 1890 till paid, which.... John

Daugherty has recovered before me in a warrant in debt, and also the sum of \$ 1.00 which were adjudged to the said.... John Daugherty for costs in prosecuting said warrant.

Given under my hand the 25th day of Nov 1893.

H. C. Joslyn J. P.

John Dougherty
vs. 3 Warrant

S. P. Dougherty

executed this now

18/93 C. E. Cheek

C. E. C.

Not executed
no party found
this February
the 22 1894
C. E. Cheek

Docket J. P. Book

Filed Feb 26 1894

For value received

I assign the
with Judgement
to S. E. Shelburne
this April 10th 1894 -
John Dougherty

Patton Daugherty

VIRGINIA--LEE COUNTY, TO-WIT:

TO C. E. Check Constable of said County:

I HEREBY COMMAND YOU TO SUMMON Patton Daugherty

If to be found in your District to appear at Jonesville in said County, on the 29th day of Oct. 1892 before me or such other Justice of said County, as may be there to try this warrant, to answer complaint of Dr. S. E. Shelborne

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$44.50 due by Account, and then and there make return of this warrant.

Given under my hand the 29th day of Oct., 1892

A. Williams, J. P.

Dr. S. E. Shelborne
Against

Patton Daugherty

On the 29th day of Oct., 1892
(In debt.)
At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$44.50, with interest thereon from the 29th day of Oct. 1892 till paid, and \$1.00 for costs.

A. Williams, J. P.

VIRGINIA--LEE COUNTY, To-wit: To Charles E. Check Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattels of.....

Patton Daugherty

....., in your county, you cause to be made the sum of \$44.50 with interest thereon from the 29th day of Oct., 1892 till paid, which Dr.

S. E. Shelborne has recovered before A. Williams in a warrant in debt, and also the sum of \$1.00 which were a judgment to the said S. E.

Shelborne for costs in prosecuting said warrant.

Given under my hand 29th day of Oct. 1892

A. Williams, J. P.

Dr. S. E. Shelburne

vs

Patton Haugherty

Executed this 29th
day of Oct. 1892

C. E. Chubb, const

not executed on
Draft found this
November the 23. 92

C. E. Chubb C. L. C.

docket

Filed Nov 28 - 1892

J. R. Gilson clk.

Know all Men by these Presents, That we D. C. Serwell Geo M Blankenship

are held and firmly bound unto the Commonwealth of Virginia, in the sum of \$100.00
One hundred dollars, to payment whereof, well and truly to be made to

the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of the United States.

Sealed with our seals, and dated this 13th day of January
one thousand eight hundred and Ninety Seven

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound D. C. Serwell

shall faithfully perform the duties of his office or trust, as Commissioner

under a decree of the Circuit Court of the County of Lee, pronounced on the 7th day
of November, 1896, in the suit therein depending under the name and style

of D. C. Shelburn against C. E. Flanary admr

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the
presence of

A Copy

Teste A. B. Munsey Clerk

D. C. Serwell

[SEAL.]

Geo M Blankenship

[SEAL.]

James M Orr

[SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day

suret on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court of the County of Lee, that _____ estate after the payment of all _____ just debts, and those for which _____ bound as securit for others, and expect to have to pay _____ worth the sum of _____ dollars.

Given under my hand this _____ day of _____ 189 .

Teste: _____ Clerk

S. E. Shelburn
vs
C. E. Flanagan admr

to { COMMISSIONER
BOND.

Commonwealth.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon *W. C. Flanary* administrator of the
Estate of *Hettie Daugherty deceased. Patton Daugherty*
Milford Daugherty & Mintie Daugherty the last two
of whom are infants

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *1st* Monday in *October*, 189*4*, to answer ^{*an amended*} *1* bill in Chancery,
exhibited against *them* in our said court by *J. E. Shelburn*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the
22nd day of *September*, 189*4*, and in the 11 *9th* year of the
Commonwealth.

A. B. Munsey Clerk.

S. E. Shelburn

vs. { SUPCENA
IN CHANCERY.

C. E. Flanary admitted

D. C. Sewell p. q.

To 1st October Rules,
Circuit Court.

Executed sept the 25. 1884
by delivering an office copy
of the within summons to
Patton Langherty. Milford
Langherty and Minnie Langherty
I accept legal service of the
within summons this sept 26. 84
C. E. Flanary. S. T. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Patton Daugherty, Milford
Daugherty, & Mintie Daugherty the last two
are infants

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *May*, 1894, to answer a bill in Chancery, exhibited against *them* in our said court by *J. E. Sheburn*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *7th* day of *May*, 1894, and in the 11 *8th* year of the Commonwealth.

A. B. Munsey Clerk.

150
100
100

S. E. Shelburn

US.

{ SUBPENA
IN CHANCERY.

Patton Daugherty et al

A. L. Pridemore p. q.

To 2nd May Rules,
Circuit Court.

Not Executed
not forced parties
gone to Harlem
this May 19-1894
L. M. Wade D. S. for
Ct. Clk. (Secretary)
S. E. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Patton Daugherty. Milford*
Daugherty, & Mintie Daugherty the last two are
infants,

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *3rd* Monday in *May*, 189*4*, to answer a bill in Chancery,
exhibited against *them* in our said court by *S. E. Shelburn*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the *7th* day of *May*, 189*4*, and in the *11 8th* year of
the Commonwealth.

A Copy Teste

A. B. Munsey Clerk

A. B. Munsey Clerk.

vs. { **SUBPŒNA
IN CHANCERY.**

.....p. q.

To..... Rules,
Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

again
WE ~~COMMAND~~ YOU, That you summon *Patton Daugherty, Milford*
Daugherty & Mintie Daugherty the last two of
whom are infants

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *1st* Monday in *October*, 189*4*, to answer a bill in Chancery,
exhibited against *them* in our said court by *S E Shelburn*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the
8th day of *September* 189*4*, and in the 11*th* year of the

Commonwealth.

A B Munsey Clerk.

S E Shelburn

vs. { SUPRENA
IN CHANCERY.

Patton Daugherty et als

A. L. Pridemore p. q.

To 1st October Rules,
Circuit Court.

Executed sept the 11. 1884
by delivering an office copy
of the writ in answer to
Patton. Daugherty, Milford
Daugherty and. Mintie -
Daugherty. This sept the 11. 1884
C. E. Flanagan. S. L. C

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

^{again}
WE COMMAND YOU, That you summon *Patton Daugherty, Milford*
Daugherty & Mintie Daugherty the last two of
whom are infants

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *3rd* Monday in *July*, 189*4*, to answer a bill in Chancery,
exhibited against *them* in our said court by *S E Shelburn*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the
19th day of *June* 189*4*, and in the 11 *8th* year of the

Commonwealth.

A Copy Teste

A B Munsey Clerk

A B Munsey Clerk.

VS. { SUPCENA
IN CHANCERY.

p. q.

To..... Rules,
Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

again
WE ^{again} COMMAND YOU,

That you summon

Patton Daugherty, Milford
Daugherty & Mintie Daugherty

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said
Court on the *3rd* Monday in *July*, 189*4*, to answer a bill in Chancery,
exhibited against *them* in our said court by *S E Shelburn*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

19th day of *June*

189*4* and in the 11 *8th* year of the

Commonwealth.

A B Munsey Clerk.

S E Shelburn

vs. { SUPCENA
IN CHANCERY.

Patton Daugherty et al

A L Pridemore p. q.

To 2nd July Rules,
Circuit Court.

Not Executed
on account of sickness

C. E. Flannery. S. L. C.